

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:

1300 Desert Willow Road, LLC,
Debtor.

Chapter 11

Case No. 25-11375 (pb)

**DECLARATION OF WILLIAM ROBERTSON IN SUPPORT OF INTERIM
APPLICATION TO EMPLOY COLLIERS AS PROPERTY MANAGER TO THE
DEBTOR**

William Robertson, being duly sworn, states the following under penalty of perjury:

1. I am a senior vice president and a principal broker of New Mexico Real Estate Advisors, Inc., d/b/a Colliers ("Colliers").
2. I have read the Debtor's application to employ Colliers as property manager to the Debtor and believe the contents therein to be true.
3. My firm has proposed to the Debtor a property management agreement (the "Agreement") for Colliers to be retained as the property manager of the property located 1300 Desert Willow Rd. Los Lunas, New Mexico (the "Property"). *See annexed Exhibit A – Property Management Agreement.*
4. Colliers has served as the property manager for the Property for approximately four years. This affidavit is submitted in support of the Debtor's application approving the retention of Colliers to act as property manager for the Property post-petition.
5. The services rendered by Colliers would consist of those ordinarily associated with the management of commercial properties in New Mexico. Colliers would assume primary responsibility for all aspects of the Property's management and operation, including property

inspections, enforcement of lease terms and building rules and regulations, ensuring that the Property complies with applicable laws, regulations and ordinances, building maintenance and repairs and tenant billing.

6. I reviewed the list of potential parties in interest in this case, which is attached hereto as **Exhibit B**. To the best of my knowledge, neither I nor Colliers hold any adverse interests to the Debtor, its creditors or any other parties in interest, and neither I nor Colliers have any connection, present or prior, to the Debtor other than providing the management and brokerage services that will continue pursuant to the proposed Agreement indicated above and annexed hereto. I therefore believe that Colliers and I are disinterested parties as defined in section 101(14) of the U.S. Bankruptcy Code (11 U.S.C. §§ 101 *et seq.*)¹.

7. I believe Colliers' retention is in the best interest of the Debtor because of Colliers' experience acting as a property manager for commercial rental buildings in this geographical area. Colliers has a portfolio of approximately 4 million square feet of real estate in New Mexico, including office, medical, retail and industrial properties. Our firm has been a market leader in New Mexico since 1985 and maintains a full-service team of property managers, accountants and maintenance professionals. Colliers in New Mexico and El Paso maintains a team of 22 licensed brokers and 40 property management and brokerage professionals. Accordingly, I believe that Colliers is well-qualified to act as property manager for the Property.

¹ The term "disinterested person" means a person that— (A) is not a creditor, an equity security holder, or an insider; (B) is not and was not, within 2 years before the date of the filing of the petition, a director, officer, or employee of the debtor; and (C) does not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the debtor, or for any other reason. 11 USC § 101 (14).

WHEREFORE, I respectfully request that this Court enter an Order pursuant to 11 U.S.C. § 327(a), authorizing the retention of Colliers as the property manager for the Property, with compensation for such services to be paid pursuant to the proposed Agreement, to be made pursuant to separate application to this Court.

Dated: 21/07/25

William Robertson

William Robertson

1300 Desert Application to Employ Property Manager Declaration 2025-07-21pdf

Final Audit Report

2025-07-21

Created:	2025-07-21
By:	Irene Costello (icostello@bronsonlaw.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAA33V6a3Ilf9Ilu-0HQcmv2XbYLI3OQQAE

"1300 Desert Application to Employ Property Manager Declaration 2025-07-21pdf" History

-  Document created by Irene Costello (icostello@bronsonlaw.net)
2025-07-21 - 5:17:27 PM GMT
-  Document emailed to William Robertson (bill.robertson@colliers.com) for signature
2025-07-21 - 5:17:31 PM GMT
-  Email viewed by William Robertson (bill.robertson@colliers.com)
2025-07-21 - 5:18:10 PM GMT
-  Document e-signed by William Robertson (bill.robertson@colliers.com)
Signature Date: 2025-07-21 - 5:24:03 PM GMT - Time Source: server
-  Agreement completed.
2025-07-21 - 5:24:03 PM GMT



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